



General Assembly

January Session, 2001

Amendment

LCO No. 7752

Offered by:

SEN. COLEMAN, 2nd Dist.
SEN. HARP, 10th Dist.
SEN. HANDLEY, 4th Dist.
SEN. WILLIAMS, 29th Dist.
SEN. PRAGUE, 19th Dist.

SEN. LOONEY, 11th Dist.
SEN. PENN, 23rd Dist.
SEN. PETERS, 20th Dist.
SEN. FINCH, 22nd Dist.

To: Senate Bill No. 1056

File No. 14

Cal. No. 66

**"AN ACT CONCERNING MANDATORY FACT-FINDING
CONFERENCES."**

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- 1 In line 1, before "Section" insert "Section 1."
- 2 After line 122, insert the following and renumber the remaining
3 section accordingly:
- 4 "Sec. 2. Section 46a-86 of the general statutes is repealed and the
5 following is substituted in lieu thereof:
- 6 (a) If, upon all the evidence presented at the hearing conducted
7 pursuant to section 46a-84, the presiding officer finds that a
8 respondent has engaged in any discriminatory practice, the presiding
9 officer shall state [his] such presiding officer's findings of fact and shall
10 issue and file with the commission and cause to be served on the
11 respondent an order requiring the respondent to cease and desist from

12 the discriminatory practice and further requiring the respondent to
13 take such affirmative action as in the judgment of the presiding officer
14 will effectuate the purpose of this chapter.

15 (b) In addition to any other action taken hereunder, upon a finding
16 of a discriminatory employment practice, the presiding officer may
17 order (1) the hiring or reinstatement of employees, with or without
18 back pay, or (2) restoration to membership in any respondent labor
19 organization, [provided, liability] and (3) compensatory damages in an
20 amount not to exceed ten thousand dollars in cases where the
21 respondent has not less than three nor more than fifteen employees,
22 thirty-five thousand dollars in cases where the respondent has not less
23 than sixteen nor more than one hundred employees and sixty
24 thousand dollars in cases where the respondent has more than one
25 hundred employees, and reasonable attorney's fees and costs. Liability
26 for back pay shall not accrue from a date more than two years prior to
27 the filing or issuance of the complaint and, provided further, interim
28 earnings, including unemployment compensation and welfare
29 assistance or amounts which could have been earned with reasonable
30 diligence on the part of the person to whom back pay is awarded shall
31 be deducted from the amount of back pay to which such person is
32 otherwise entitled. The amount of any such deduction for interim
33 unemployment compensation or welfare assistance shall be paid by
34 the respondent to the commission which shall transfer such amount to
35 the appropriate state or local agency.

36 (c) In addition to any other action taken hereunder, upon a finding
37 of a discriminatory practice prohibited by section 46a-58, 46a-59, 46a-
38 64, 46a-64c, 46a-81b, 46a-81d or 46a-81e, the presiding officer shall
39 determine the damage suffered by the complainant, which damage
40 shall include, but not be limited to, the expense incurred by the
41 complainant for obtaining alternate housing or space, storage of goods
42 and effects, moving costs and other costs actually incurred by [him]
43 the complainant as a result of such discriminatory practice and shall
44 allow reasonable attorney's fees and costs.

45 (d) In addition to any other action taken hereunder, upon a finding
46 of a discriminatory practice prohibited by section 46a-66 or 46a-81f, the
47 presiding officer shall issue and file with the commission and cause to
48 be served on the respondent an order requiring the respondent to pay
49 the complainant the damages resulting from the discriminatory
50 practice.

51 (e) If, upon all the evidence and after a complete hearing, the
52 presiding officer finds that the respondent has not engaged in any
53 alleged discriminatory practice, the presiding officer shall state [his]
54 such presiding officer's findings of fact and shall issue and file with the
55 commission and cause to be served on the respondent an order
56 dismissing the complaint."